

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

16-CR-776 (VEC)

JOSEPH PERCOCO,  
a/k/a "Herb,"  
ALAIN KALOYEROS,  
a/k/a "Dr. K,"  
PETER GALBRAITH KELLY, JR.,  
a/k/a "Braith,"  
STEVEN AIELLO,  
JOSEPH GERARDI,  
LOUIS CIMINELLI,  
MICHAEL LAIPPLE, and  
KEVIN SCHULER,

Defendants.

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**NOTICE OF DEFENDANT LOUIS CIMINELLI'S MOTION TO  
SUPPRESS CELLPHONE LOCATION INFORMATION**

Moving Parties:	Defendant Louis Ciminelli.
Directed To:	The government.
Date and Time:	To be scheduled by the Court.
Place:	Before the Honorable Valerie E. Caproni, United States District Judge, United States District Court, Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007.
Supporting Papers:	Declaration of Timothy W. Hoover, dated May 19, 2017; and Memorandum of Law, dated May 19, 2017.
Reply Papers:	Defendant intends to reply.
Relief Requested:	An Order of the Court:

(1) Suppressing the cellphone location information obtained by the government or, in the alternative, ordering a suppression hearing; and

(2) Awarding such further relief as is just and proper.

Grounds for Relief: U.S. CONST. amend. IV and federal decisions as set out in Defendant's Memorandum of Law.

Oral Argument: Requested, at the earliest date and time available to the Court.

Dated: Buffalo, New York  
May 19, 2017

**HODGSON RUSS LLP**

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